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December 31, 2024

**BY ECF**

Judge Jennifer H. Rearden  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *M.K., et al. v. New York City Department of Education*  
1:24-cv-04900 (JHR)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel of the City of New York, attorney for the New York City Department of Education (“DOE”) in the above-referenced matter. I write on behalf of all parties to respectfully request that the parties be permitted to submit the underlying administrative record in lieu of formal discovery in this matter, and that the Court endorse the proposed schedule for briefing the parties’ respective motions for summary judgment.

Plaintiffs bring this action under the Individuals with Disabilities Education Act (“IDEA”), 20 U.S.C. § 1400 *et seq.* alleging, *inter alia*, a State Review Officer (“SRO”) erroneously denied Plaintiffs’ administrative appeal of an unfavorable decision of an Impartial Hearing Officer (“IHO”) on the basis that Plaintiffs failed to properly initiate the appeal. Plaintiffs ask the Court to reverse the SRO decision.

The underlying administrative proceeding has a lengthy and well-developed record. The parties agree all relevant facts are contained in this administrative record and no further discoverable facts are needed for the parties to move for summary judgment.

If the above request is granted, the parties propose the below briefing schedule:

January 31, 2025: Plaintiffs submit to the Court the underlying administrative record from the State Review Officer

March 13, 2025: Plaintiffs file their Motion for Summary Judgment

April 14, 2025: Defendant files their Cross-Motion for Summary Judgment and Opposition to Plaintiffs’ motion

April 28, 2025: Plaintiffs submit its Reply, if any, to Defendant's Opposition and their Opposition to Defendant's motion

May 12, 2025: Defendant submits its Reply, if any, to Plaintiffs' Opposition

The parties also respectfully request that the Court adjourn *sine die* the Initial Pre-trial Conference currently scheduled for January 10, 2025. It is respectfully submitted that, if the above requests are granted, this conference is not necessary. This is the second request to adjourn the Initial Pre-trial Conference, though the first request to adjourn the conference *sine die*. The Court granted the first request. These requests would not affect any other deadlines or scheduled dates in this matter.

The parties thank the Court for considering these requests.

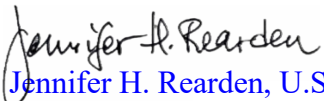
Respectfully submitted,

[ECF] /s/  
Jordan Doll  
Assistant Corporation Counsel

Application GRANTED. The initial pretrial conference scheduled for January 10, 2025, *see* ECF No. 16, is adjourned *sine die*. The Court hereby adopts the parties' proposed briefing schedule.

The Clerk of Court is directed to terminate ECF No. 17.

SO ORDERED.

  
Jennifer H. Rearden, U.S.D.J.  
Dated: January 6, 2025